

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MARIA Y. CISLER,)	
)	
Plaintiff,)	8:09CV364
)	
and)	
)	
BALBINA BAHENA,)	
)	
Plaintiff,)	8:09CV365
)	
and)	
)	
ANNA LA TORRE,)	
)	
Plaintiff,)	8:09CV366
)	
vs.)	ORDER
)	
PAUL A. WILLSIE COMPANY,)	
a Nebraska corporation d/b/a)	
WILLSIE CAP AND GOWN COMPANY,)	
)	
Defendant.)	

This matter is before the court on the motion of D.C. Bradford and Justin D. Eichmann of the law firm Bradford & Coenen LLC ([Filing No. 45](#)) to withdraw as counsel for the plaintiffs. The movants state the plaintiffs “have refused to cooperate in and frustrated Movants’ prosecution” of the claims. The movants filed an index of evidence ([Filing No. 46](#)) in support of the motion. The movants served a copy of the motion on each of the three plaintiffs. The court afforded the plaintiffs an opportunity to respond to the motion and/or obtain substitute counsel. Moving counsel filed affidavits on behalf of the plaintiffs Maria Y. Cisler ([Filing No. 49](#)) and Anna La Torre ([Filing No. 50](#)) indicating these plaintiffs do not oppose withdrawal of counsel. The court held a hearing on January 24, 2011. Balbina Balhena appeared at the hearing and requested additional time to hire substitute counsel. Accordingly, the motion to withdraw is granted as to all three plaintiffs. However, the court will allow the plaintiffs additional time to secure counsel prior to setting

progression of the case. After such time, the case should be ready to progress to trial. Upon consideration,

IT IS ORDERED:

1. D.C. Bradford and Justin D. Eichmann's motion to withdraw ([Filing No. 45](#)) is granted.

2. The plaintiffs are hereby considered proceeding *pro se* and counsel for the defendant may communicate with each of them directly regarding this case.

3. The court will hold a conference with the parties for the purpose of scheduling this matter to trial. The conference will be held before the undersigned magistrate judge on **Monday, February 28, 2011, at 9:30 a.m.**, in Courtroom No. 7, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

4. Maria Y. Cisler, Balbina Bahena, and Anna La Torre are required to attend the scheduling conference in person. In the event legal counsel makes an appearance on the record for any one of the plaintiffs, such plaintiff who has counsel will be excused from attendance. Failure to appear at the scheduling conference will result in sanctions, which may be monetary. Additionally, the Federal Rules of Civil Procedure provide authority for the court to impose sanctions, including dismissal of an action, for failure to abide by court orders or participate in good faith to insure the progression of the case. [Fed. R. Civ. P. 16\(f\)](#); [Fed. R. Civ. P. 41\(b\)](#).

5. Any request to change the date or time of the hearing should be made by filing a motion with the Clerk of Court.

6. The Clerk of Court shall send a copy of this order to each of the plaintiffs at their last known addresses:

Maria Y. Cisler	Balbina Bahena	Anna La Torre
P.O. Box 10095	1107 South 27th Street	4509 South 33rd Street
Panama City, FL 32404-1095	Omaha, NE 68105	Omaha, NE 68107

Dated this 25th day of January, 2011.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge